

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

**SPORTBOX, LLC.**

**Plaintiff,**

**v.**

**XM SATELLITE RADIO INC., and  
MAJOR LEAGUE BASEBALL**

**Defendants.**

**CIVIL ACTION No: 04-cv-12734-NMG**

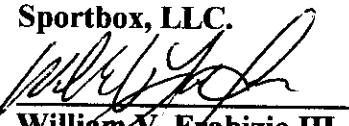
**VOLUNTARY DISMISSAL**

**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE**

Pursuant to Fed R. Civ. P. 41(a)(1)(i) Sportbox, LLC. ("Plaintiff") by filing a Notice of Dismissal any time before service by the adverse party of an answer or of a motion for summary judgment Plaintiffs hereby Notify the Court of our VOLUNTARY DISMISSAL, WITH PREJUDICE, of the Complaint to the above entitled action, stipulating that the two parties entailed herein have settled the matter without order of the Court.

Respectfully submitted Thursday, February 03, 2005

Sportbox, LLC.

  
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William V. Frabizio III  
Sportbox, LLC.  
107 Bridge Street  
Newton, MA 02458  
(617) 916-1862

**Certificate of Service**

The undersigned hereby certifies that on February 3, 2005 I caused a true copy of the foregoing Plaintiffs' **VOLUNTARY DISMISSAL WITH PREJUDICE** to be served by Federal Express (Tracking Number 792198338964) on counsel for all parties so represented:

Major League Baseball Properties  
C/O Dionne C. Greene  
245 Park Avenue  
New York, New York 10167  
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